

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE JPMORGAN CHASE & CO.  
SHAREHOLDER DERIVATIVE  
LITIGATION

---

This Document Relates To:

---

) Master File No. 08 Civ. 974 (DLC)

)

) **MOTION TO WITHDRAW AS**  
) **COUNSEL OF RECORD**

)

)

)

)

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern District of New York, Counsel of Record for plaintiff Robert Garber ("Plaintiff"), Robbins Umeda & Fink, LLP ("Robbins Umeda"), respectfully requests leave to withdraw as counsel in this action. The motion for withdrawal is supported by the attached affidavit of George C. Aguilar stating good cause and satisfactory reasons for withdrawal. Further, withdrawal can be accomplished without material adverse effect on Plaintiff's interest because Plaintiff has retained the law firm of Whatley Drake & Kallas, LLC, to represent him in this litigation. Upon the Court's leave, Robbins Umeda will immediately transfer all files and records in this case in its possession to Plaintiff's new counsel.

Dated: August 7, 2008

ROBBINS UMEDA & FINK, LLP  
BRIAN J. ROBBINS  
JEFFREY P. FINK  
GEORGE C. AGUILAR  
DANIEL R. FORDE

\_\_\_\_\_  
s/ George C. Aguilar  
GEORGE C. AGUILAR

610 West Ash Street, Suite 1800  
San Diego, California 92101  
Telephone: (619) 525-3990  
Facsimile: (619) 525-3991

Counsel for Plaintiff Robert Garber

\_\_\_\_\_  
ROBERT GARBER

Pursuant to Local Civil Rule 1.4 of the Local Rules of the United States District Courts for the Southern and Eastern District of New York, Counsel of Record for plaintiff Robert Garber ("Plaintiff"), Robbins Umeda & Fink, LLP ("Robbins Umeda"), respectfully requests leave to withdraw as counsel in this action. The motion for withdrawal is supported by the attached affidavit of George C. Aguilar stating good cause and satisfactory reasons for withdrawal. Further, withdrawal can be accomplished without material adverse effect on Plaintiff's interest because Plaintiff has retained the law firm of Whatley Drake & Kallas, LLC, to represent him in this litigation. Upon the Court's leave, Robbins Umeda will immediately transfer all files and records in this case in its possession to Plaintiff's new counsel.

Dated: August 7, 2008

ROBBINS UMEDA & FINK, LLP  
BRIAN J. ROBBINS  
JEFFREY P. FINK  
GEORGE C. AGUILAR  
DANIEL R. FORDE

s/ George C. Aguilar  
GEORGE C. AGUILAR

610 West Ash Street, Suite 1800  
San Diego, California 92101  
Telephone: (619) 525-3990  
Facsimile: (619) 525-3991

Counsel for Plaintiff Robert Garber

  
ROBERT GARBER

CERTIFICATE OF SERVICE

I hereby certify that on August 7, 2008, the foregoing document was filed with the Clerk of the Court for the U.S. District Court, using the electronic case filing system of the court. The electronic case filing system sent a "Notice of Electronic Filing" to all attorneys of record who have consented in writing to accept this Notice as service of documents by electronic means as indicated on the attached Electronic Mail Notice List.

/s/ George C. Aguilar  
George C. Aguilar

## Mailing Information for a Case 1:08-cv-00974-DLC

### Electronic Mail Notice List

The following are those who are currently on the list to receive e-mail notices for this case.

- **George C. Aguilar**  
gaguilar@ruflaw.com
- **Gerald Leroy Black , Jr**  
blackg@sullcrom.com
- **Deborah Clark-Weintraub**  
dweintraub@wdklaw.com
- **Jeffrey Paul Fink**  
notice@ruflaw.com,jfink@ruflaw.com
- **Daniel R. Forde**  
dforde@ruflaw.com
- **Leigh R. Lasky**  
lasky@laskyrifkind.com
- **Sharon L. Nelles**  
nelless@sullcrom.com
- **Brian James Robbins**  
notice@ruflaw.com

### Manual Notice List

The following is the list of attorneys who are **not** on the list to receive e-mail notices for this case (who therefore require manual noticing). You may wish to use your mouse to select and copy this list into your word processing program in order to create notices or labels for these recipients.

- (No manual recipients)